

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 2:16-mj-00382-VCF

v.

RANDAL BRINKMAN,

Defendant.

**STIPULATION REGARDING SPEEDY TRIAL ACT AND THE
TRIAL NOTICE AND SCHEDULING ORDER**

Through their respective counsel, the parties stipulate and agree as follows:

IT IS STIPULATED that the December 28, 2016 trial date shall be adjourned for a period of approximately one hundred twenty (120) days to a date to be selected by the Court.

IT IS FURTHER STIPULATED that the Court shall set new dates for the motion cut-off, final pretrial conference/plea-entry and other applicable dates based on the new trial date selected by the Court.

IT IS FURTHER STIPULATED that the time period from December 28, 2016 to the new trial date set by the Court, shall be deemed excludable delay under the provisions of the Speedy Trial Act, Title 18, United States Code, Section 3161,

in consideration of other proceedings concerning the defendant under Section 3161(h)(1) (that the parties have engaged in and will continue engaging in plea negotiations), and in consideration of Title 18, United States Code, Section 3161(h)(7)(A) (that the ends of justice served by this delay outweigh the best interest of the public and the defendant in a speedy trial). The parties stipulate and agree that the following factors are relevant to the Court's consideration of the adjournment:

1. Defendant has retained new trial counsel. Defense Counsel and the Government have begun productive discussions.
2. Counsel for the Defendant is unavailable for the current trial date.
3. Reasonable time is necessary to examine the facts, and negotiate the matter if possible, or prepare for trial presentation if necessary.

Accordingly, the parties request that the Court find that the period from December 28, 2016 through and including the new trial date be deemed to be excludable under the Speedy Trial Act.

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IT IS SO STIPULATED.

/s/ Jared Grimmer

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/s/ John C. Conard (w/consent)

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Attorney for Defendant

DATED: December 21, 2016

IT IS HEREBY ORDERED that trial scheduled for December 28, 2016 is RESCHEDULED to 9:00 AM, June 21, 2017, in Courtroom 3D.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 12-21-2016